

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input checked="" type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 11/26/12	NEED RESPONSE BY:
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: San Francisco County, Agency of Human Services	
3. PHONE NO.:	7. SUBJECT: Restoration of Federal Eligibility	
4. REGULATION CITE(S): 63-503.49	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>  ACL 03-08 ACL 03-18 page 58 ACIN I-09-04, Q # 6 and 7	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Scenario 1: based on Q. 6 of ACIN I-09-04, the CFAP recipient mother who has been participating along with her children with no deeming of sponsor information because it was not required, reached the 5 years of residency in the first month of QR cycle, and the funding source changed for the 2nd month from CFAP to Fed. Meanwhile, the EW sent a QR22 to the mother to report her sponsor information. The EW explained the federal requirements and allowed enough time to the client to respond back. The mother did not respond back. The QR7 was submitted timely without any information of QR22

Question 1: Should the county remove the mother from the CF case, by considering the "no response" just like opting out, and prorate her income as in 63-503.442(b)? Or treat the entire HH (including the children) as failed to verify requested crucial verification, because the "no response" is considered as client failed to provide mandatory verification that will determine the eligibility and level of benefits 63-300.5(e)?

10. REQUESTOR'S PROPOSED ANSWER:

The current practice of the CF program of San Francisco County, is to remove the noncitizen individual(s), who do not respond to the request of completing QR22, and make them " individuals opted out for CF program " regardless the fact that they were active with their children prior to the change from CFAP to SNAP.

QC does not know the exact correct answer, we think that there is a conflict between this practice and the Q. # 7 on ACIN I-09-04 which does not allow the individual to opt out once they are already active. We do not consider the change from CFAP to SNAP as a new certification.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The county is incorrect. The QR22 is a mandatory form and must be submitted in order to determine the households benefit level. The county cannot choose to use "opting out" as a substitute for non-compliance with a mandatory reporting requirement.

### FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: